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10/823,655	04/14/2004	Tadashi Tsukamoto	Q80949	4962
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SUGHRUE MION, PLLC			EXAMINER	
2100 PENNSYLVANIA AVENUE, N.W.			HENNING, MATTHEW T	
SUITE 800			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/823,655	<b>Applicant(s)</b> TSUKAMOTO, TADASHI
	<b>Examiner</b> MATTHEW T. HENNING	<b>Art Unit</b> 2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 July 2008.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 14 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/US/02)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

This action is in response to the communication filed on 7/9/2008.

## **DETAILED ACTION**

## *Response to Arguments*

4                   Applicant's arguments filed 7/9/2008 have been fully considered but they are not  
5   persuasive.

6 Regarding applicant's argument that Sashihara did not disclose dynamically creating a  
7 memory area in the mobile terminal, allocated for the authorized user and identified by the ID  
8 information of the authorized user, the examiner agrees that this newly recited limitation is not  
9 taught explicitly by Sashihara.

Regarding applicant's argument that Chujo did not cure this deficiency, the examiner disagrees. Sashihara did teach creating a memory area on the mobile terminal, allocated for the authorized user and associated with the ID information of the authorized user, as can be seen in Paragraphs 0049-0052. Sashihara does not explicitly teach that the allocation of memory is dynamic or that the memory area is identified by the ID information of the authorized user. Chujo, on the other hand, teaches that in a shared storage system, in order to ensure that each user does not store excessive amounts of data, a "reserve space" of the storage device should be automatically allocated to each user when needed (Chujo [0005] and [0078]). Chujo further teaches that in this memory management system the memory area is identified using the User ID, as can be seen in Fig. 3 and Paragraphs 0036-0038. As such, the examiner does not find the argument persuasive.

Because the examiner does not find these arguments persuasive, the rejections in view of Sashihara and Chujo have been maintained below.

- 1 All objections and rejections not set forth below have been withdrawn.
- 2 Claims 1-20 have been examined.

### *Title*

The title of the invention is acceptable.

### *Specification*

6 The specification is objected to as failing to provide proper antecedent basis for the  
7 claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the  
8 following is required: While the specification provides support for the area of memory being  
9 associated with the ID information, the examiner cannot find support for the newly recited  
10 limitation that the area of memory is identified by the ID information of the authorized user.  
11 Further, the applicant has failed to show where support for this limitation can be found in the  
12 specification.

### *Claim Rejections - 35 USC § 112*

14 The following is a quotation of the first paragraph of 35 U.S.C. 112:

15 The specification shall contain a written description of the invention, and of the manner and process of making  
16 and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it  
17 pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode  
18 contemplated by the inventor of carrying out his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. While the specification provides support for the area of memory being associated with the ID information, the examiner cannot find support for the newly recited limitation that

1 the area of memory is identified by the ID information of the authorized user. Further, the  
2 applicant has failed to show where support for this limitation can be found in the specification.  
3 As such, the ordinary person skilled in the art would not be able to determine whether the  
4 applicant was in possession of the claimed invention at the time of application. Therefore the  
5 claims are rejected for failing to meet the written description requirement of 35 USC 112 1<sup>st</sup>  
6 Paragraph.

### ***Claim Rejections - 35 USC § 103***

9 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
10 obviousness rejections set forth in this Office action:

11       A patent may not be obtained though the invention is not identically disclosed or  
12 described as set forth in section 102 of this title, if the differences between the subject matter  
13 sought to be patented and the prior art are such that the subject matter as a whole would have  
14 been obvious at the time the invention was made to a person having ordinary skill in the art to  
15 which said subject matter pertains. Patentability shall not be negated by the manner in which  
16 the invention was made.

18 Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Sashihara et al.  
19 (US Patent Application Publication 2002/0165008) hereinafter referred to as Sashihara, and  
20 further in view of Chujo et al. (US Patent Application Publication 2002/0023156) hereinafter  
21 referred to as Chujo.

22 Regarding claims 1 and 13, Sashihara disclosed a mobile terminal (Sashihara Fig. 2)  
23 capable of identifying an authorized user (Sashihara [0004]: SIM based systems are capable of  
24 identifying authorized users using the SIM card), when a detachable memory medium is  
25 connected to the mobile terminal (Sashihara [0004]: SIM card mounting), based on identification

1 (ID) information stored in the memory medium (Sashihara [0004]: SIM identification  
2 information), comprising: memory area creating means for creating a memory area in the mobile  
3 terminal, allocated for the authorized user, in association with the ID information of the  
4 authorized user (Sashihara [0049] and [0051]: the given area of the external memory where the  
5 encrypted ID and private data are stored); encrypting means for reading out the ID information  
6 from the memory medium connected to the mobile terminal (Sashihara [0051]: registered ID  
7 read from SIM), and encrypting personal contents fed to the mobile terminal-on the basis of the  
8 ID information (Sashihara [0051]: encrypts the read private data using the registered ID); storing  
9 means for storing the encrypted personal contents in the allocated memory area associated with  
10 the ID information (Sashihara [0051] and [0075]: stores the encrypted result into the external  
11 memory); and decrypting means for reading out the ID information from the memory medium  
12 connected to the mobile terminal (Sashihara [0020]: read out the registered identification code  
13 from the subscriber card), and decrypting, based on the ID information, the personal contents  
14 encrypted and stored in the allocated memory area associated with the ID information, thereby  
15 rendering the personal contents accessible to the user (Sashihara [0021]: decoding the data  
16 makes it accessible to the user that mounted the card), but Sashihara does not explicitly teach that  
17 the allocation of memory is dynamic or that the memory area is identified by the ID information  
18 of the authorized user.

19 Chujo, on the other hand, teaches that in a shared storage system, in order to ensure that  
20 each user does not store excessive amounts of data, a "reserve space" of the storage device  
21 should be automatically allocated to each user when needed (Chujo [0005] and [0078]). Chujo

1 further teaches that in this memory management system the memory area is identified using the  
2 User ID (Chujo Fig. 3 and Paragraphs 0036-0038).

3 It would have been obvious to the ordinary person skilled in the art at the time of  
4 invention to have employed the teachings of Chujo in the storage system of Sashihara by  
5 allocating a reserve space in the external storage for each user of the phone when needed, and  
6 identifying the memory area using the ID information of the user. This would have been obvious  
7 because the ordinary person skilled in the art would have been motivated to ensure that each user  
8 does not store excessive amounts of data.

9 Regarding claim 20, Sashihara and Chujo disclosed that programs control the operation  
10 of the phone in which the method is described (Sashihara [0008]).

11 Regarding claims 2 and 14, Sashihara and Chujo disclosed that said memory area  
12 creating means automatically creates, in response to the memory medium being connected to the  
13 mobile terminal, the allocated memory area identified by the ID information stored in the  
14 memory medium (See Sashihara [0051] and Chujo [0078]).

15 Regarding claim 3, Sashihara and Chujo disclosed that said memory area creating means  
16 includes means for, if the memory medium is connected to the mobile terminal, providing a  
17 subordinate memory area associated with the allocated memory area in accordance with an  
18 operation by the user (See Chujo [0078]).

19 Regarding claim 4, Sashihara and Chujo disclosed information sharing means which  
20 allows the user either to write contents into a common memory area, which is shared by a  
21 plurality of authorized users, or to gain access to contents stored in the common memory area.  
22 (Sashihara [0021]: storing the decoded data in internal memory).

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1        Regarding claim 5, Sashihara and Chujo disclosed operation means for, if the memory  
2        medium is connected to the mobile terminal and the personal contents is accessible by the user,  
3        at least either copying or transferring the personal contents to the common memory area in  
4        accordance with an operation by the user (Sashihara [0021]).

5        Regarding claim 6, Sashihara and Chujo disclosed operation means for, if the memory  
6        medium is connected to the mobile terminal and the personal contents is accessible by the user,  
7        at least either copying or transferring information stored at the common memory area to the  
8        allocated memory area identified by the ID information in accordance with an operation by the  
9        user (Sashihara [0051]: reading the data stored in the EEPROM and storing it in the external  
10      memory).

11        Regarding claims 7 and 15, Sashihara and Chujo disclosed that the encrypting means  
12      generates a cryptographic key based on the ID information read out from the memory medium  
13      connected to the mobile terminal, and encrypts personal contents using the cryptographic key  
14      (Sashihara [0049] and [0051]).

15        Regarding claims 8 and 17, Sashihara and Chujo disclosed decrypting means generates a  
16      cryptographic key on the basis of the ID information read out from the memory medium  
17      connected to the mobile terminal, and decrypts the encrypted personal contents stored in the  
18      allocated memory area identified by the ID information by using the cryptographic key  
19      (Sashihara [0021]).

20        Regarding claim 9, Sashihara and Chujo disclosed that the ID information is a subscriber  
21      information used for identifying a subscriber who is authorized to receive service to be provided

1      via the mobile terminal, or a serial number uniquely assigned to the mobile terminal (Sashihara  
2      [0004]).

3                Regarding claim 10, while Sashihara and Chujo disclosed dynamic management of  
4      storing the encrypted data in the external memory, and decrypting the data read from the external  
5      memory (Sashihara [0049]-[0051] and [0060]-[0064]), Sashihara failed to specifically disclose  
6      that the data is managed as data files having varied sizes in accordance with file management  
7      information. However, storing data as files of varying size is well known in the art of data  
8      storage. As such, it would have been obvious to the ordinary person to have stored the data as  
9      files of varying size. This would have been obvious because the ordinary person skilled in the  
10     art would have been motivated to utilize what was well known in the art.

11                Regarding claim 11, Sashihara and Chujo disclosed that the mobile terminal is shared by  
12     a plurality of users and comprises an allocated memory area uniquely assigned to each of the  
13     users (Sashihara [0070]: where the private data is stored is assumed to be predetermined...for  
14     each registered user); said storing means, if the encrypted personal contents of a user is stored in  
15     the allocated memory area assigned to the user, attaches a tag on a header portion of the allocated  
16     memory area (Sashihara [0049]: stores an encrypted ID into a given area of the external  
17     memory); and said decrypting means, if it is required to decrypt the encrypted personal data,  
18     determines the allocated memory area specifically assigned to the user by seeking the tag based  
19     on the ID information read from the memory medium currently connected to the mobile terminal  
20     (Sashihara [0060] – [0064]).

21                Regarding claims 12 and 19, Sashihara and Chujo disclosed that the memory medium is  
22     an IC card based on a common standard (Sashihara [0004]).

Regarding claim 16, Sashihara and Chujo disclosed that in said encrypting, a cryptographic key is generated on the basis of the ID information read out from the memory medium connected to the mobile terminal, and the personal contents fed to the mobile terminal is encrypted by using the cryptographic key (Sec Sashihara [0049]-[0050]).

Regarding claim 18, Sashihara and Chujo disclosed that in said decrypting, a cryptographic key is generated on the basis of the ID information read out from the memory medium connected to the mobile terminal, and the encrypted personal contents stored in the allocated memory area identified by the ID information is decrypted by using the cryptographic key (See Sashihara [0061]-[0063]).

### ***Conclusion***

Claims 1-20 have been rejected.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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1       CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,  
2       however, will the statutory period for reply expire later than SIX MONTHS from the date of this  
3       final action.

4               Any inquiry concerning this communication or earlier communications from the  
5       examiner should be directed to MATTHEW T. HENNING whose telephone number is  
6       (571)272-3790. The examiner can normally be reached on M-F 8-4.

7               If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
8       supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the  
9       organization where this application or proceeding is assigned is 571-273-8300.

10              Information regarding the status of an application may be obtained from the Patent  
11       Application Information Retrieval (PAIR) system. Status information for published applications  
12       may be obtained from either Private PAIR or Public PAIR. Status information for unpublished  
13       applications is available through Private PAIR only. For more information about the PAIR  
14       system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR  
15       system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would  
16       like assistance from a USPTO Customer Service Representative or access to the automated  
17       information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

18

19       /Matthew T Henning/

20       Examiner, Art Unit 2131

21       /Christopher A. Revak/

22       Primary Examiner, Art Unit 2131